

### REMARKS

Applicants have amended claims 1, 7, 11, 14, and 23, added claims 31, 32 and 33, and cancelled claim 6. Claims 2-5, 8-10, 12, 13, 15-22, and 24-30 stand withdrawn. Accordingly, claims 1, 7, 11, 14, 23, 31, 32 and 33 are presented for consideration.

#### 35 U.S.C. § 102

The Examiner rejected claims 1, 6, 7, 11, 14 and 23 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,164,752 ("Doi").

Claim 1 recites "A system adapted to produce images of an object at at least two planes and defocused with respect to one another, the system comprising a beam splitter for splitting a beam of radiation from the object into at least two resultant beams[,...]at least two sensors separated from one another, each for receiving one of the resultant beams..."

Doi neither describes nor suggests at least the features of claim 1 recited above. The Examiner contends that Doi discloses an optical system for a TV camera that produces at least three images differently focused. One of ordinary skill in the art understands that the three images generated by the system of Doi, however, are all in focus in the planes at which sensors 24B, 24G, and 24R are placed to receive the images.

Claim 1, on the other hand, requires that the sensors receive images defocused with respect to one another. For example, in the background of Applicants specification (page 1, lines 12 to 25), it is explained that the series of images are located "at various small distances from the object's in-focus image in the direction of the light's propagation from the object itself." This series of images is hence appropriately described as "defocused with respect to one another." Doi simply makes no disclosure of forming images that are defocused with respect to one another. Indeed, the entire emphasis of Doi is to the contrary.

It is submitted, therefore, that claim 1 and claims depending therefrom are novel over Doi. Claims 11 and 23 include features comparable to those of claim 1, so it is submitted that claims 11 and 23 and claims depending therefrom are also novel over Doi. Accordingly, Applicants ask the rejection be withdrawn.

Applicants further submit that new claims 31 and 32 are novel over Doi for reasons stated above.

Conclusion

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

The required fee for excess claims in the amount of \$162 is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. A Petition for Three-Month Extension is being filed concurrently with the present reply. Please apply any additional charges or credits to Deposit Account No. 06-1050, referencing Docket No. 20498-0005US1.

Respectfully submitted,

Date: \_\_\_\_\_

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